

### **REMARKS/ARGUMENTS**

After the foregoing Amendment, claims 7, 9-15, and 17-19 are pending in the application. Claims 7 and 9-15 have been allowed. Claim 17 has been amended to include the allowable subject matter of claim 7. Support for this Amendment can be found in the Specification on page 45, lines 17-19 and on page 46, lines 3-14. Accordingly, no new matter has been added.

Applicants respectfully request that the Amendment After Final be entered in accordance with 37 C.F.R. § 116 and MPEP 714.13 since the Amendment: (1) includes no new matter; (2) resolves all issues raised by the Examiner in the Final Office Action; (3) does not introduce subject matter that has not been previously searched by the Examiner and, therefore, does not require the Examiner to perform further searching; (4) places the application in condition for allowance or in better form for appeal; and (5) does not result in a net addition of claims to the application.

#### **Claim Rejection – 35 U.S.C. § 103**

The Examiner rejected claims 17-19 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,166,532 (Tsuchida et al.) in view of U.S. Patent Nos. 4,971,197 (Worley) and 6,105,776 (Meilhon). The Examiner argues that Tsuchida et al. discloses most of the elements of the claims but lacks first and second heat shrinkable films and at least one pore. The Examiner contends that Worley shows that it is conventional to construct heat shrunk battery packages from first and second heat shrinkable films. The Examiner further contends that Meilhon shows that providing pores at sides and ends of a heat shrunk package to facilitate opening of the package is conventional. The Examiner argues that it would have been obvious in view of Worley and Meilhon to provide the package of Tsuchida et al. with the missing elements. Applicants respectfully traverse this rejection in view of the foregoing Amendment.

Amended claim 17 is directed to a composite battery package and recites, *inter alia*,

a plurality of unit packages, each fixing and retaining a plurality of cylindrical batteries assembled in parallel in a first heat-shrinkable film, are fixed and retained in parallel in a second heat-shrinkable film,

said first heat-shrinkable film having a slit on a side of said unit package along a boundary between said adjacent cylindrical batteries, and said first heat-shrinkable film around said slit is curved in such a manner as to conform to outer circumferential surfaces of said cylindrical batteries located adjacent to said boundary; wherein said unit package includes an adhesive layer formed at least on inner surface of said first heat-shrinkable film on a periphery of said slit,

....

Claim 17 has been amended to incorporate the recitations directed to the heat-shrinkable film of allowed claim 7. Because the Examiner has allowed claim 7 over the cited prior art, Applicants respectfully submit that amended claim 17, incorporating the above stated recitations of allowed claim 7, is allowable over the Examiner's current rejection. Accordingly, Applicants respectfully request that the rejection of claim 17 and claims 18 and 19 dependent therefrom be withdrawn.

**Allowable Subject Matter**

Applicants respectfully thank the Examiner for indicating that claims 7 and 9-15 are allowed.

**CONCLUSION**

In view of the foregoing Amendment After Final and Remarks, Applicants respectfully submit that the present application, including claims 7, 9-15, and 17-19, is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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(Date)

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